-419469

Bill Pr53 **Private Bill**

1ST SESSION, 35TH LEGISLATURE, ONTARIO 40 ELIZABETH II, 1991

GOV DOC
INDEX TABLE

Bill Pr53

An Act respecting the City of Hamilton

Mr. Christopherson

1st Reading October 31st, 1991
2nd Reading
3rd Reading
Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

Printed under authority of the Legislative Assembly by the
©Queen's Printer for Ontario

EXPLANATORY NOTE

The purpose of the Bill is to enable The Corporation of the City of Hamilton to make by-laws requiring the owners of residential buildings to install smoke alarms in every dwelling unit. It would also enable the City to require owners of buildings over three storeys to install an emergency lighting system in every means of egress.

Bill Pr53 **1991**

An Act respecting the City of Hamilton

Preamble

The Corporation of the City of Hamilton has applied for special legislation in respect of the matters set out in this Act.

It is appropriate to grant the application.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Definitions

1. In this Act,

"council" means the council of The Corporation of the City of Hamilton;

"dwelling unit" means a room or suite of rooms operated as a housekeeping unit that is used or intended to be used as a domicile by one or more persons and that contains cooking, eating, living, sleeping or sanitary facilities or any combination of them;

"owner" includes any person managing or receiving rent for a building.

By-laws respecting smoke alarms and emergency lighting

2.—(1) The council may pass by-laws,

(a) for requiring owners of buildings containing dwelling units to install smoke alarms in every dwelling unit, in accordance with the manufacturer's instructions;

(b) for requiring owners of buildings over three storeys in height containing dwelling units to install smoke alarms in every hallway of the building;

(c) for requiring the owners of buildings over three storeys in height containing dwelling units to install an emergency lighting system in every means of egress;

(d) for appointing inspectors.

Special warning device

(2) A by-law under clauses (1) (a) and (b) may require the owner to supply a device capable of warning tenants who are deaf or hard of hearing of the danger of fire.

Type of device

(3) The by-law may prescribe the type of device required under subsection (2).

Notice

(4) A by-law under subsection (1) may prescribe the method by which any notice is to be given to an owner of a building.

Approved smoke alarms

3. A smoke alarm installed under subsection 2 (1) shall be a battery or electrically powered combined smoke detection and audible alarm device that has been approved by the Underwriters' Laboratories of Canada and, if electrically powered, by the Canadian Standards Association and that,

(a) is designed to sound an alarm upon detection of products of combustion; and

(b) is equipped with an indicator which provides a readily visible or audible indication that the device is in operating condition.

Standards for emergency lighting

4. The emergency lighting system described in clause 2 (1) (c) shall be designed and installed so that,

(a) it provides illumination for at least the period of time prescribed in the building code for the classification of the building;

(b) it is supplied by a source of energy which is separate from the primary electrical supply for the building;

(c) it automatically commences when power to the building is interrupted; and

(d) it provides illumination at an average level of at lease 10 lux at floor level or 1 watt per m of floor space.

Power of entry

5.—(1) For the enforcement of any by-law passed under this Act, an inspector may, at all reasonable hours, enter any building or premise containing a dwelling unit.

Proof of identification

(2) In exercising the power of entry, the inspector shall produce his or her identification upon request.

Dwelling unit

(3) An inspector shall not, except under the authority of a warrant issued under section 6, enter a place used as a dwelling unit without the consent of the occupier.

Expert assistance

(4) An inspector may call upon any expert he or she considers necessary to assist in carrying out an inspection.

Obstruction

(5) No person shall hinder or obstruct an inspector lawfully carrying out the enforcement of a by-law passed under this Act.

Warrant

6.—(1) A justice of the peace may issue a warrant authorizing an inspector to enter any place if satisfied by information upon oath that,

(a) it is reasonably necessary for the inspector to enter the place in order to determine whether this Act is being complied with; and

(b) the inspector has been denied entry or obstructed in his or her attempt to enter the building or dwelling unit.

Execution and expiry

(2) A warrant shall specify the hours and days during which it may be executed and name a date on which it expires, which date shall not be later than thirty days after its issue.

Time of execution

(3) A warrant shall be executed between the hours of 7 a.m. and 9 p.m., unless it provides otherwise.

Inspection authorized by warrant

(4) A warrant authorizes the inspector,

(a) to use whatever force is necessary to execute the warrant; and

(b) to call on police officers as necessary to assist in executing the warrant.

Commencement

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. The short title of this Act is the *City of Hamilton Act, 1991*.